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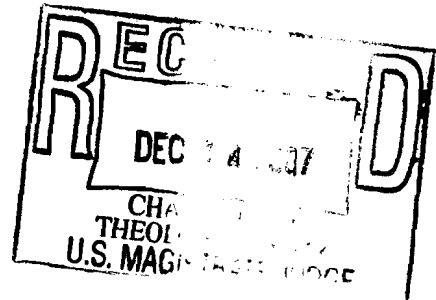
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December 14, 2007

BY FAX

Hon. Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street, Room 1660
New York, New York 10007



Forrest v. Unifund Financial Group, Inc., et al.,
U.S. Dist. Ct., S.D.N.Y., 04 Civ. 5151 (LTS)(THK)

Dear Magistrate Judge Katz:

Late yesterday afternoon, I received Your Honor's endorsed order of yesterday, December 13, 2007 (on Mr. Aglow's December 12, 2007, letter, which I was never served by him) requiring the production of certain documents by noon today. I respectfully request that deadline be set back one business day, to noon on Monday (December 17, 2007).

As the Court is aware, I have for some time been expectant of being formally substituted for defendants' counsel of record, Eaton & Van Winkle LLP. That substitution has been delayed by financial difficulties of defendants. Both defendant entities have been out of business since shortly after the March 2000 crash of the dot.com and technical stock markets. Funds for this litigation have therefore had to be personally raised by the two individual defendants. There have been many expectations over the past nine months that such financial difficulties would be resolved in days. Those expectations have not been realized even as of this morning.

Due to those financial difficulties of defendants, I have not been paid at all for the past nine months. In connection with the 912 documents I previously produced to plaintiff on behalf of defendants, and other requirements of this litigation, I have up-fronted disbursements of several hundred dollars which I expected to be reimbursed for long before today. The additional documents the Court has ordered to be produced by noon today will require another up front advance of further hundreds of dollars.

I am willing to advance such disbursements personally to comply with Your Honor's Order; however, I need until noon on Monday in order to pay the vendors necessary to have those further documents copied, numbered and delivered to plaintiff's counsel by that time.

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I believe this request, and my commitment to fund this document production by an advance from my own financial resources in light of the lack of financial reimbursement to date from defendants, is a good faith effort to comply with Your Honor's Order.

As the Court understands, I reserve the right to withdraw as counsel, but will not do so until after the documents ordered by the Court have been delivered to Mr. Aglow by noon on Monday.

I am available for an immediate conference call with the Court and Mr. Aglow and can be reached this morning at 212-991-6726.

Respectfully yours,



Alfred Ferrer III
Of Counsel to Eaton & Van Winkle LLP
for purposes of this action

cc: Eric N. Aglow, Esq. (By Fax)

Produce the documents on December 17, 2007. This explanation should have been offered long ago.

SO ORDERED

12/14/07


THEODORE H. KATZ

UNITED STATES MAGISTRATE JUDGE